

REMARKS

Claims 16-35 have been cancelled. New claims 36-50 have been added. Claims 36-50 are pending and under consideration.

Favorable reconsideration of this application, in light of the following discussion and in view of the present amendment, is respectfully requested.

I. Rejections under 35 U.S.C. § 112

In the Office Action, at pages 2-3, claims 16-31 were rejected under the second paragraph of 35 USC § 112 as being indefinite. Claims 16-31 are cancelled herein. Accordingly, withdrawal of these rejections is respectfully requested.

II. Rejections under 35 U.S.C. § 102

In the Office Action, at pages 3-6, claims 16-17 and 31-35 were rejected under 35 USC § 102(b) as being anticipated by Rosenberg et al. ("An Offer/Answer model with the Session Description Protocol (SDP)").

Claims 16-17 and 31-35 are cancelled herein. Accordingly, withdrawal of these rejections is respectfully requested.

III. New Claims

New claims 36-50 are added herein, of which claims 36 and 50 are independent claims.

Rosenberg et al. does not discuss or suggest:

using, by the calling subscriber, a reception address data of the at least one called subscriber contained in a response from the at least one called subscriber to select user data, which is sent by the at least one called subscriber along with a transmission address data of the least one called subscriber, wherein

the reception address data of the at least one called subscriber is identical to the transmission address data of the at least one called subscriber,

as recited in new claim 36. With reference to Fig. 1 of the present application, the invention of claim 36 provides caller A with a way to distinguish between early media data coming from both called subscribers B and B'. As such, the invention of claim 36 provides, for example, that the reception address data (IP-B, port-B) of called subscriber B is identical to the transmission address data (IP-b, port-b). In this manner, the calling subscriber A can identify early media user data, which includes transmission address data (IP-b, port-b) of called subscriber B, received from called subscriber B because the called subscriber transmission data (IP-b, port-b) is the

same as the called subscriber reception data (IP-B, port-B), which is previously known because the calling subscriber A has already received this called subscriber reception data (IP-B, port-B) in a response message 9, 10.

In contrast, Rosenberg et al. does not provide that the reception address data of a called subscriber is identical to the transmission address data of the same called subscriber. The address data sent from a called subscriber to a calling subscriber in Rosenberg et al., as well as other known prior art, is not sufficient to distinguish between early media data coming from two or more different called subscribers. In fact, Rosenberg et al. admits as much by disclosing that “early media can’t be identified” and “if a UAC begins receiving two early media streams as a result of two 183s, it can’t tell which media stream was created from which 183.” As such, Rosenberg et al. actually teaches away from the invention of claim 36. Therefore, claim 36 patentably distinguishes over Rosenberg et al., such that claim 36 is in a condition suitable for allowance.

Claims 37-49 depend either directly or indirectly from claim 36, and include all the features of claim 36, plus additional features that are not discussed or suggested by the reference relied upon. Therefore, claims 37-49 patentably distinguish over the reference relied upon for at least the reasons noted above. Thus, it is submitted that claims 37-49 are in a condition suitable for allowance.

Rosenberg et al. does not discuss or suggest:

a decision unit using a reception address data of the at least one called subscriber contained in a response from the at least one called subscriber to select user data, which is sent by the at least one called subscriber along with a transmission address data of the least one called subscriber, wherein

the reception address data of the at least one called subscriber is identical to the transmission address data of the at least one called subscriber,

as recited in new claim 50, so that claim 50 patentably distinguishes over Rosenberg et al. Thus, it is submitted that claim 50 is in a condition suitable for allowance.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

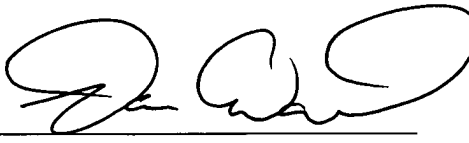
Serial No. 10/576,207

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 2-28-08

By: 
Aaron C. Walker
Registration No. 59,921

1201 New York Avenue, N.W., 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501